

**UNITED STATES DISTRICT COURT**  
for the

SOUTHERN District of OHIO

United States of America

v.

JOHN ALVIN WEST,

Date of Previous Judgment: 03/20/2001  
(Use Date of Last Amended Judgment if Applicable)

)

)

) Case No: 1:00cr70-1

) USM No: 03340-061

) Steve Nolder, Federal Public Defender

) Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 118 Months months is reduced to 94 Months.

**I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)**

Previous Offense Level: 29

Amended Offense Level: 27

Criminal History Category: III

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Previous Guideline Range: 108 to 135 months      Amended Guideline Range: 87 to 108 months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- Other (explain): \_\_\_\_\_

**III. ADDITIONAL COMMENTS**

Except as provided above, all provisions of the judgment dated 3-20-01 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: April 17, 2008

  
\_\_\_\_\_  
Judge's signature

Effective Date: April 17, 2008  
(if different from order date)

Michael R. Barrett, United States District Judge  
Printed name and title